This application has been carefully reviewed in light of the Office Action dated November 14, 2006. Claims 20 to 22, 24, 25 and 27 are in the application, with Claims 23, 26 and 28 having been cancelled herein. Claims 20, 24, 25 and 27 are independent. Reconsideration and further examination are respectfully requested.

Claims 20 to 28 were rejected under 35 U.S.C. § 102(e) over U.S. Publication No. 2002/0078160 (Kemp). Reconsideration and withdrawal of the rejections are respectfully requested.

The present invention concerns selecting a print shop to submit a print order to. According to the invention, a user apparatus communicates with a print management apparatus via network, and obtains print shop information of a plurality of print shops. In the user apparatus, a printer driver is used to set a print condition and then print data is formed based on the print condition set by the printer driver. Then, after the print data has been formed, a screen is formed to display which of the plurality of print shops included in the print shop information is capable of printing the formed print data. Once the user selects one of the print shops from the screen, a print order is formed to include the selected print shop, whereby the print order can then be transmitted to the selected print shop.

Referring specifically to the claims, independent Claim 20 is directed to a user apparatus that communicates with a print management apparatus via a network, comprising print shop information obtaining means for obtaining information of a plurality of print shops from said print management apparatus, print setting obtaining means for setting a print condition by using a printer driver installed in said user apparatus, print data

forming means for forming print data based on the print condition set by the print setting obtaining means, screen information forming means for forming screen information on the basis of the obtained print shop information of the plurality of print shops and the print condition set by the print setting obtaining means so that the formed screen information indicates whether or not each print shop of the plurality of print shops in the obtained print shop information is capable of printing the print data, after forming the print data by the print data forming means, selection accepting means for accepting a designation of selecting a print shop from among the plurality of print shops in the print shop information on the formed screen information, and print order forming means for forming a print order, including the designation of the selected print shop.

Claims 24, 25 and 27 are directed to a system, a computer medium and a method, respectively, and include features substantially corresponding to Claim 20.

The applied reference of Kemp is not seen to disclose or to suggest the features of Claims 20, 24, 25 and 27, and in particular, is not seen to disclose or to suggest at least the features of a user apparatus forming screen information on the basis of print shop information of a plurality of print shops obtained from a print management apparatus and a print condition set by a printer driver in the user apparatus, so that the formed screen information indicates whether or not each print shop of the plurality of print shops in the obtained print shop information is capable of printing the print data, after forming the print data by a printer driver in the apparatus based on the set print condition.

Kemp discloses that a printer driver 282 receives a list of service providers from a portal server 30 to select a service provider, and thereafter, setting a print condition and generating print data. Specifically, the printer driver 282 inquires of the portal server

30 about which service provider satisfies an input search condition and the portal server forms the list of service providers that met the condition. Thus, the portal server forms the list, not the user apparatus. Additionally, the list is generated prior to the print data being formed. As a result, if the user changes the print condition after the portal server has generated the list, a new search would have to be conducted since some of the service providers included in the list may not be capable of printing based on the changed condition. In contrast, the invention forms the screen information after the print data has been formed. Thus, the invention is simply different from Kemp and the claims are not anticipated by Kemp.

Applicants wish to note that Kemp qualifies as prior art to the subject application only under § 102(e). Additionally, both Kemp and the subject application were, at the time of the invention, commonly owned by Canon Kabushiki Kaisha. As evidence of the same, an assignment was recorded in Application No. 09/736,240 (Kemp) at Reel 011630, Frame 0951 on March 23, 2001, and an assignment was recorded in the present application at Reel 012712, Frame 0491 on March 22, 2002. Accordingly, under § 103(c), Kemp cannot be applied as a reference against the subject application for the purposes of a rejection under § 103(a). As such, the presently claimed invention also could not have been obvious over Kemp.

In view of the foregoing amendments and remarks, independent Claims 20, 24, 25 and 27, as well as the claims dependent therefrom, are believed to be allowable.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa,

California office at (714) 540-8700. All correspondence should continue to be directed to

our below-listed address.

Respectfully submitted,

/Edward Kmett/

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Edward A. Kmett
Attorney for Applicant
Registration No.: 42,746

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

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